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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

HAROLD HOLMES,

Plaintiff,

vs.

UNITED STATES OF AMERICA, DOES I
though X, inclusive and ROE BUSINESS
ENTITIES I though XX, inclusive

Defendants.

Case No. 2:24-cv-1195-RFB-DJA

**Stipulation and Order to Extend
Discovery Deadlines**

(First Request)

Pursuant to LR IA 6-1 and LR 26-3, the parties request a ninety (90) day extension of discovery deadlines, which is supported by grounds and circumstances set forth below. This stipulation is filed less than 21 days before the earliest deadline to be extended (amending pleadings and adding parties). The current deadline to amend pleadings and add parties is December 4, 2024. The parties have conducted discovery diligently and in good faith. However, unforeseen circumstances that are out of the parties' control necessitate the request for this extension. This is the first request for an extension of the discovery deadlines.

DISCOVERY COMPLETED

The parties have completed the following discovery:

1. Plaintiff made his initial disclosures on October 3, 2024.
2. Defendant made its initial disclosures on October 15, 2024.

3. Plaintiff served his first set of requests for production, first set of interrogatories and first set of requests for admission on Defendant on October 4, 2024.

4. Defendant served its first set of requests for production and first set of interrogatories on Plaintiff on October 11, 2024.

5. Plaintiff served his responses to Defendant's first set of requests for production, and first set of interrogatories on November 22, 2024.

6. Defendant served its responses to Plaintiff's requests for admission on October 4, 2024 and its responses to Plaintiff's first set of requests for production and first set of interrogatories on November 4, 2024.

7. Defendant requested and Plaintiff provided HIPAA authorizations to allow Defendant to obtain Plaintiff's pertinent medical records.

8. Defendant served its first supplement to initial disclosures of witnesses and documents on November 4, 2024.

9. Defendant scheduled Plaintiff's deposition on December 9, 2024, and Plaintiff's previous employer's deposition on January 10, 2025.

10. Plaintiff scheduled the deposition of the government driver on January 3, 2025.

DISCOVERY REMAINING

Defendant's counsel has been informed by Mr. Randall that he is intending to file a Motion to withdraw from representing Plaintiff in this case. Defendant believes that it is in the best interest of both parties to extend discovery to allow Plaintiff to look for representation, and to possibly reschedule the depositions that are currently on calendar. Defendant has served Subpoenas to Plaintiff's medical providers on November 18, 2024, and is waiting to receive Plaintiff's complete medical records. The parties' initial and rebuttal expert disclosures remain to be completed.

The parties reserve the right to engage in any other discovery permitted by applicable rules and within the revised discovery deadlines if the court approves this stipulation.

WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED

Since the entry of the Scheduling Order (ECF No. 8), the parties have been working diligently to advance discovery. Defendant's counsel has been informed that Mr. Randall will be withdrawing from representing Plaintiff. The additional time requested will allow Plaintiff to look for new counsel. Additionally, Defendant is awaiting to receive Plaintiff's medical records from his treating providers.

The extension will allow the parties to address discovery issues and schedule and complete any remaining depositions.

The parties' counsel conferred and agreed that a ninety (90) day extension would be proper. The parties agree that neither party will be prejudiced by the proposed extension, and that they may be prejudiced should the current schedule remain in place. The parties agree the extension is sought in good faith.

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EXTENSION OF THE DISCOVERY PLAN AND SCHEDULING ORDER

The following table sets forth the current deadlines and the proposed ninety (90) day extension of discovery deadlines that are the subject of this stipulated request:

SCHEDULED EVENT	CURRENT DEADLINE	PROPOSED DEADLINE
Amend Pleadings/Add Parties	December 4, 2024	March 4, 2025
Expert Disclosures	January 3, 2025	April 3, 2025
Rebuttal Expert Disclosures	February 3, 2025	May 5, 2025
Discovery Cutoff	March 4, 2025	June 2, 2025
Dispositive Motions	April 3, 2025	July 2, 2025
Proposed Joint Pretrial Order	May 2, 2025	August 1, 2025¹

This request for an extension of time is not sought for any improper purpose including delay. This is the first request for an extension of discovery deadlines in this matter.

Respectfully submitted this 27th day of November 2024.

ER INJURY ATTORNEYS

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/s/ Justin G. Randall
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IT IS SO ORDERED:


UNITED STATES MAGISTRATE JUDGE

DATED: 12/3/2024

¹ However, if dispositive motions were to be filed, the deadline for the Proposed Joint Pretrial Order would be deferred until 30 days after the Court rules on the dispositive motions.